## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

	Civil No. 3:06-1076
	Judge Trauger
Magistrate Judge Bryant	

## ORDER

On January 28, 2009, the Magistrate Judge issued a Report and Recommendation (Docket No. 30), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that the Defendant's Motion For Summary Judgment (Docket No. 24) is **GRANTED**, and this case is **DISMISSED WITH PREJUDICE**.

It is so **ORDERED**.

ENTER this 23<sup>rd</sup> day of February 2009.

ALETA A. TRAUGER U.S. District Judge